

Index # 07 civ 11452

Purchased/Filed:

AFFIDAVIT OF SERVICE ON N.Y.S. SUPERINTENDENT OF INSURANCE

STATE OF NEW YORK

U. S. DISTRICT COURT

SOUTHERN DIST. COUNTY

Trustees of the Bricklayers and Allied Craftworkers, Local 5 etc.

Plaintiff

vs

Marquise Construction & Development Corp. et al

Defendant

STATE OF NEW YORK
COUNTY OF ALBANY

Christopher Warner

being duly sworn, deposes and says that deponent

is over the age of 18 years. That on the 31st day of December, 2007

at 1 Commerce Plaza, 20th Floor, in the City of Albany, State of New York, deponent served the

Summons and Complaint, Judges Rules Instructions for filing, USDC/SDNY Guidelines in the above action

upon Colonial Surety Company

the defendant named therein, by delivering to and leaving with Patrick Harrigan, authorized

to accept on behalf of the Insurance Department of the State of New York. Deponent further says that at the

time of making such service deponent paid to the Insurance Department the sum of \$ 40. , that being

the lawful fee for such service.

Deponent further says, that deponent knew the person so served to be an Attorney for Superintendent of Insurance

and a person authorized by law to accept service on behalf of the defendant.

Description of person served:

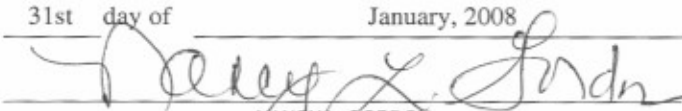
Approx. Age: 45yrs Weight: 170 Lbs Height: 5'10 Sex: Male Color of skin: White

Hair color: Red Other:

Sworn to before me on this

31st day of

January, 2008

NANCY L. GORDON
NOTARY PUBLIC, State of New York
No. 01GD4503730, Rensselaer County
Commission Expires June 30, 2011

Christopher Warner

Invoice-Work Order # 0726058